IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 19309 of 2006(W)

OS.41/1997 of SUB COURT, PATHANAMTHITTA
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PETITIONER:

K. RAMACHANRAN PILLAI,
VAZHAPILLI HOUSE, MULAKUZHA VILLAGE,
KOZHUVALLUR, CHENGANOOR, ALAPPUZHA DISTRICT.

BY ADV. SRI.K.S.MOHAMED HASHIM

RESPONDENT:

MULAMMOOTTIL INVESTMENT & HIRE PURCHASE
MULAMOOTTIL BUILDINGS, KOZHENCHERRY,
REPRESENTED BY ITS PROPRIETOR JACOB THOMAS
MULAMOOTTIL, KOZHENCHERRY.

BY ADV. SRI.M.NARENDRA KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC 19309/06)

PETITIONER'S EXTS.:

EXT.P1: TRUE COPY OF THE JUDGMENT DATED 29.10.2004 IN W.P.C.16413/04 OF THIS COURT.

EXT.P2: TRUE COPY OF THE APPLICATION DATED 27.3.2006 FILED BY THE RESPONDENTS.

EXT.P3: TRUE COPY OF THE OBJECTION DATED 31.3.2006 FILED BY THE PETITIONER IN I.A.602/06.

EXT.P4: TRUE COPY OF THE ORDER IN I.A.NO.603/06 DATED 31.3.2006 OF THE SUB COURT, PATHANAMTHITTA.

PIUS C. KURIAKOSE,J.

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W.P.(C) No.19309 of 2006

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Dated: 27th July, 2007

JUDGMENT

My attention is drawn by the learned counsel for the petitioner to the notice published on the K.L.T. dated 5.2.2007 which is to the effect that Prof.Brij Bhusan Kashyap has stopped his practice as a forensic expert. In view of the above notice, it has become clear that Ext.P4 order has become incapable of compliance. I set aside Ext.P4 and direct the learned Subordinate Judge to appoint a fresh expert for scrutiny of the documents in question. Both sides will submit panels before the learned Subordinate Judge who will appoint somebody from out of the panel after hearing both sides.

The Writ Petition is disposed of as above. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**